

SUBCHAPTER 2. INFANT CARE CENTERS**Article 1. GENERAL REQUIREMENTS AND DEFINITIONS****101351 GENERAL****101351**

- (a) Day Care facilities providing group infant care shall be governed by the provisions specified in this subchapter. In addition, such facilities, except where specified otherwise, shall be governed by Chapter 2, Day Care Centers, Subchapter 1, Basic Requirements, and by Chapter 1, Child Day Care General Licensing Requirements.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73 and 1596.81, Health and Safety Code.

101352 DEFINITIONS**101352**

In addition to Sections 101152 and 101252, the following shall apply.

- a. (1) "Assistant Infant Care Center Director" (Assistant Director) means the individual as specified in Section 101415.1 designated by the day care center director to act in his or her behalf in the overall management of an infant care center.
- b. (Reserved)
- c. (1) "Combination Center" means an Infant Care Center operating in conjunction with a Day Care Center and/or School-Age Child Day Care Center.
- d. (Reserved)
- e. (Reserved)
- f. (Reserved)
- g. (Reserved)
- h. (Reserved)
- i. (1) "Infant Care Center" means any facility or part of a facility where less than 24-hour per day, nonmedical care and supervision are provided to infants in a group setting.

101352 **DEFINITIONS** (Continued)**101352**

(2) "Infant Care Center Director" means the administrator of an infant care center as specified in Section 101415.

(3) "Infant Care Teacher" means a teacher as specified in Section 101416.2.

j. (Reserved)

k. (Reserved)

l. (Reserved)

m. (Reserved)

n. (Reserved)

o. (Reserved)

p. (Reserved)

q. (Reserved)

r. (Reserved)

s. (Reserved)

t. (1) "Toddler Component" means the component of an infant care program designed for children who are between the ages of 18 months and 30 months.

u. (Reserved)

v. (Reserved)

w. (Reserved)

x. (Reserved)

y. (Reserved)

z. (Reserved)

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.75, 1596.750, 1596.76, and 1596.956, Health and Safety Code.

101361	LIMITATIONS ON CAPACITY AND AMBULATORY STATUS	101361
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- (a) It shall be permissible for a child whose developmental needs require continuation in an infant care center to remain in an infant care center up to a maximum age of three years.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

Article 2. LICENSING (Reserved)

Article 3. APPLICATION PROCEDURES (Reserved)

Article 4. ADMINISTRATIVE ACTIONS (Reserved)

Article 5. ENFORCEMENT PROVISIONS (Reserved)

Article 6. CONTINUING REQUIREMENTS**101415 INFANT CARE CENTER DIRECTOR QUALIFICATIONS AND DUTIES 101415**

- (a) In addition to Section 101315, the following shall apply.
- (b) The experience requirement specified in Sections 101315(h)(1), (2), and (3), shall be completed in an infant care center or comparable group child care program dealing with children under five years of age.
- (c) At least three (3) of the semester units or equivalent quarter units required in Sections 101315(h)(1)(B), (h)(2) and (h)(3) shall be related to the care of infants.
- (d) The director of a combination center shall successfully complete at least three (3) semester units or equivalent quarter units related to the care of infants within one year of the effective date of these regulations.
- (e) Infant care center directors, employed prior to the effective date of these regulations, who do not have the required semester units or equivalent quarter units related to the care of infants shall successfully complete the required units within one year of the effective date of these regulations.
- (f) When the director of an infant care center or director of a combination center is temporarily away from the center, the director shall have authority to delegate his/her responsibilities as specified below:
 - (1) When an assistant director is required, arrangements shall be made for the assistant director to act as a substitute.
 - (A) Arrangements shall be made for a fully qualified infant care teacher to act as a substitute for the assistant director.
 - (2) When an assistant director is not required, arrangements shall be made for a fully qualified infant care teacher to act as a substitute.
 - (3) If the absence is for more than 30 consecutive calendar days, the substitute director shall meet the qualifications of a director.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.750, 1596.72 and 1596.81, Health and Safety Code.

101415.1	ASSISTANT INFANT CARE CENTER DIRECTOR QUALIFICATIONS AND DUTIES	101415.1
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- (a) Assistant infant care center director shall meet the following qualifications:
- (1) Be a fully qualified infant care teacher.
 - (2) Have successfully completed at least three post-secondary semester or equivalent quarter units in administration or employee relations at an accredited or approved college or university.
 - (A) The assistant director shall be permitted to complete the above required three units within one year following initial employment as assistant director.
 - (B) The assistant director shall work under the direction and supervision of the infant or day care center director.
 - (C) Under the leadership of the director the assistant director shall be responsible for the infant care center or the infant care component of a combination center.
 - (D) Assistant infant care center directors employed prior to the effective date of these regulations shall successfully complete the three semester units or equivalent quarter units related to the care of infants within one year of the effective date of these regulations.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

101416.2 INFANT CARE TEACHER QUALIFICATIONS AND DUTIES**101416.2**

- (a) Notwithstanding Section 101316.2, the following shall apply.
- (b) Prior to employment, an infant care teacher shall have successfully completed at least three post-secondary semesters units or equivalent quarter units in early childhood education and three post-secondary semester or equivalent quarter units related to the care of infants at an accredited or approved college or university.
 - (1) After employment, a teacher who has not completed the course work required in (c)(1) below shall successfully complete at least two units each semester or quarter until the education requirements are met.
- (c) To be a fully qualified infant care teacher, a teacher shall have the following:
 - (1) Successful completion of twelve post-secondary semester units, or equivalent quarter units, in early childhood education at an accredited or approved college or university.
 - (A) At least three (3) of the semester units or equivalent quarter units required in (c)(1) above shall be related to the care of infants or contain instruction specific to infants.

HANDBOOK BEGINS HERE

- 1. Examples of acceptable coursework are pediatric nursing or post-natal care.

HANDBOOK ENDS HERE

- (2) At least six months experience in a licensed infant care center or comparable group child care program for children under five years of age.
 - (A) Experience shall be verified as having been performed satisfactorily, at least three hours per day for a minimum of 50 days in a six-month period, as a paid or volunteer staff member, under the supervision of a person who would qualify as a teacher or director under these regulations.

101416.2 INFANT CARE TEACHER QUALIFICATIONS AND DUTIES (Continued) 101416.2

- (d) A photocopy of each teacher's post-secondary transcript documenting completion of the required coursework shall be maintained on file at the center.
- (e) The infant care teacher, under the direction and supervision of the director and assistant director, shall provide direct care and supervision of infants at the center.
- (f) Teachers shall visually observe aides whenever aides are working with infants.
- (g) Infant care teachers employed prior to the effective date of these regulations shall successfully complete the units required by (b) above within one year of the effective date of these regulations.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101416.3 INFANT CARE AIDE QUALIFICATIONS AND DUTIES**101416.3**

- (a) In addition to Section 101316.3, the following shall apply.
- (b) An infant care aide shall work under the direct supervision of the director, assistant director or a fully qualified teacher.
- (c) Aides shall participate in the on-the-job training programs provided by the licensee as specified in Section 101216(f).
- (d) An aide shall provide direct care and supervision of infants.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

101416.5 STAFF-INFANT RATIO**101416.5**

- (a) In addition to Sections 101316.5, (c), (e), (g) and (h) and notwithstanding Sections 101316.5, (a), (b), (d), and (f), the following shall apply.
- (b) In addition to the director, an assistant director shall be present and on duty if the center has 25 or more infants in attendance.
- (c) There shall be a ratio of one teacher for every four infants in attendance.
 - (1) An aide may be substituted for a teacher when all of the following circumstances are met:
 - (A) There is a fully qualified teacher directly supervising no more than 12 infants, and
 - (B) Each aide is responsible for the direct care and supervision of a group of no more than four infants.
 - (2) When engaged in activities away from the center there shall be a minimum of one adult to every two infants in attendance.

HANDBOOK BEGINS HERE

- (A) This ratio may include adult volunteers or parents to supplement the staff-infant ratio.

HANDBOOK ENDS HERE

- (d) The director and assistant infant care center director in an infant center or combination center shall be permitted to be counted in the staff-infant ratio when actually working with infants.
- (e) There shall be one staff person to visually observe every twelve sleeping infants provided the remaining staff necessary to meet the ratios are immediately available at the center.
- (f) There shall be provision for overlap of staff for different shifts so that continuity of care is assured.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101416.8 STAFFING FOR INFANT WATER ACTIVITIES	101416.8
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- (a) In addition to Sections 101316.8(a) and 101416.5(c) and notwithstanding Section 101316.8(b), the following shall apply:
- (b) A ratio of one adult to two infants shall be maintained during activities in or near any body of water, as specified in Sections 101316.8(a)(1) and (3).
- (c) A ratio of one staff to every four infants shall be maintained during activities in or near any container of water, including but not limited to, wading pools, basins, or water trays, that a child can get into and climb out of, unassisted.

HANDBOOK BEGINS HERE

- (1) This ratio may include adult volunteers or parents to supplement the staff-infant ratio.

HANDBOOK ENDS HERE

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

101417 TODDLER COMPONENT IN AN INFANT CARE CENTER**101417**

- (a) Licensees serving infants may create a special program component for children between the ages of 18 months and 30 months. The provisions of Sections 101151 through 101239 and 101351 and 101439.1 shall apply to infant care centers operating a toddler component, except as specified in Sections 101417(a)(1) through (6).
- (1) Day care centers with an existing infant care program wishing to establish a toddler component shall submit an amended application and obtain approval from the Department.
 - (2) Children in a day care center between the ages of 18 months and 30 months may be placed in the toddler program. No children shall be placed in the toddler program before the age of 18 months.
 - (3) The infant care center shall obtain written permission from parents for the placement of their children in the toddler program.
 - (4) A ratio of six children to each teacher shall be maintained for all children in attendance in the toddler program. An aide who is participating in on-the-job training may be substituted for a teacher when directly supervised by a fully qualified teacher.
 - (5) The maximum group size with two teachers, or one fully qualified teacher and one aide, shall not exceed 12 toddlers.
 - (6) The toddler program shall be conducted in areas physically separate from those used by older or younger children. Space planning and usage for the toddler component shall be governed by the provisions of Section 101438.3. Plans to alternate use of outdoor play space must be approved by the Department.
 - (A) Requirements for physical separation between children in the toddler component and older or younger children need not apply when a planned activity is being conducted.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Section 1596.956, Health and Safety Code.

101419.2 INFANT NEEDS AND SERVICES PLAN**101419.2**

- (a) Prior to the infant's first day at the center, the infant care center director or assistant director shall complete a needs and services plan.
 - (1) Such plan shall be completed with the assistance of the infant's parent at the personal interview specified in Section 101319.1.
 - (2) The parent's or guardian's participation in the preparation of the plan shall be verified by the parent's or guardian's signature on the plan.
- (b) The needs and services plan shall be in writing and shall include the following:
 - (1) The individual feeding plan.
 - (2) The individual toilet training plan if applicable.
 - (3) Any services needed by the child which are different from those provided by the center's normal program. Such items shall include but are not limited to if appropriate to the infant, the following:
 - (A) Any special exercises for the physically handicapped.
 - (4) A plan for subsequent personal interviews with the parent or guardian.
- (c) Parents/guardians shall be provided with a copy of the Needs and Services Plan and any subsequent updates.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

101419.3	MODIFICATIONS TO INFANT NEEDS AND SERVICES PLAN	101419.3
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- (a) The written needs and services plan shall be updated at least quarterly or as frequently as necessary to assure its accuracy.
 - (1) Updating of the plan shall be completed by the director, assistant director, or a teacher with the assistance of the child's parent or guardian.
 - (2) The parent's or guardian's participation in the updating of the plan shall be verified by the parent's or guardian's signature on the updated plan.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

101423.1	INFANT CARE DISCIPLINE	101423.1
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- (a) In addition to Section 101323.1, the following shall apply.
- (b) Confinement to cribs, high chairs, playpens or other similar furniture or equipment shall not be permitted as a form of discipline or punishment.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

101425	INFANT CARE TRANSPORTATION	101425
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- (a) In addition to Section 101225, the following shall apply.
- (b) Only licensed drivers 18 years old or older shall be permitted to operate any vehicle used to transport infants.
- (c) Motor vehicles used to transport infants shall contain a first aid kit containing at least the supplies specified in Section 101326(e).
 - (1) When public transportation is used to transport children, center staff shall have on hand, and available for use, a first aid kit as specified in (c) above.
- (d) When transporting infants in any motor vehicle, the licensee shall secure the infants in a car seat designed for infants which is secured in the vehicle in accordance with manufacturers' instructions.
 - (1) That installation instructions shall be maintained in the facility as long as the infant seat is in use.

101425	INFANT CARE TRANSPORTATION (Continued)	101425
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HANDBOOK BEGINS HERE

(2) Section 27360(c) of the California Vehicle Code provides in part:

- (c) It is unlawful for any driver to transport on a highway any child under four years of age or weighing less than 40 pounds in a passenger vehicle or motor truck of less than 6,001 pounds unladen weight which is registered in this state without providing and properly securing the child in either a passenger seat restraint system meeting applicable federal motor vehicle safety standards or available seat belts. This subdivision shall not apply to a driver if the parent or legal guardian of the child is also present in the vehicle and is not the driver.

HANDBOOK ENDS HERE

(e) The staff-child ratio shall be maintained while transporting children in motor vehicles.

(1) The required supervision ratios shall be maintained whether the vehicle is moving or parked.

(f) Children in motor vehicles shall have constant adult supervision and shall not be left unattended under any circumstances.

(1) Children shall not be left in parked vehicles.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

101426.2	INFANT CARE ISOLATION FOR ILLNESS	101426.2
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(a) In addition to Section 101326.2 the following shall apply:

(b) The isolation area shall be equipped with a crib, cot, mat or playpen for each ill child.

(c) Any infant in the isolation area shall be under constant visual observation by a director, assistant director, teacher or aide.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101427 INFANT CARE FOOD SERVICE**101427**

- (a) In addition to Sections 101227 and 101327 the following shall apply.
- (b) There shall be an individual feeding plan for each infant.
 - (1) The plan shall be completed and available for use prior to the infant's first day at the center.
 - (2) The plan shall be developed by the director or assistant director and the infant's parent(s) and/or physician.
 - (A) The parent's participation in development and update of the plan shall be verified by his/her signature on the plan.
 - (3) The plan shall include the following items:
 - (A) Instructions from the child's physician relating to special diet or feeding.
 - (B) Feeding schedule.
 - (C) Breast milk or kind of formula.
 - (D) Schedule for introduction of solid and new foods.
 - (E) Food consistency.
 - (F) Food likes and dislikes.
 - (G) Food allergies.
 - (H) Schedule for introduction of cups and utensils.
 - (4) The plan shall be updated as frequently as requested by the parent or as necessary to reflect changes in any of the areas specified above.
 - (5) The infant care center director or assistant infant care center director shall discuss current feeding theory with the parents.

101427 INFANT CARE FOOD SERVICE (Continued)**101427**

HANDBOOK BEGINS HERE

- (A) Such discussion should include a discussion of the dangers of honey. Authorities recommend that honey not be fed to any child for the first year of life as honey may carry botulism spores that can be harmful to young infants and has been known to be the cause of infant botulism.
- (B) It is recommended that the discussion include the following "Recommendations for Infant Feeding Practices" by the Department of Human Services concerning the sequence for the introduction of solid foods to infants from birth to 12 months.

AGE	FOODS
Birth-12 months	Breast milk, iron-fortified formula, or evaporated milk formula
At 4-6 months	Infant cereal (dry type)
At 5-7 months	Vegetables, fruits and their juices
At 6-8 months	Protein foods (cheese, yogurt; cooked beans, meat, fish, and chicken; egg yolk)
At 10-12 months	Whole egg

HANDBOOK ENDS HERE

- (c) The infant shall be fed in accordance with the individual plan.
- (1) Bottle-fed infants shall be fed at least once every four hours.
- (2) The facility shall have appropriate food available for the infant.
- (A) Where parents elect to provide food for infants but forget to bring the food, the facility shall provide appropriate foods.
- (3) Introduction of solid foods shall be in accordance with the individual plan.

101427 INFANT CARE FOOD SERVICE (Continued)**101427**

- (d) The infant care center shall provide only commercially prepared formulas for infants.
- (1) Commercial formula shall be stored and prepared in accordance with label directions.
 - (2) The specific brand of formula shall be specified in the feeding plan.
 - (3) Any change from one formula to another shall be reflected in advance on the feeding plan.

HANDBOOK BEGINS HERE

- (4) Staff of the infant care center shall not prepare infant formula from basic ingredients.

HANDBOOK ENDS HERE

- (e) Parents shall be permitted to provide formula or breast/mother's milk.
- (1) Such formula or milk shall be bottled before being accepted by the center.
 - (A) Bottles shall be labeled.
- (f) The infant care center shall be permitted to heat formula or breast/mother's milk.
- (g) A supply of bottles and nipples shall be maintained at the infant care center. Bottles and nipples used by one infant shall not be shared with or used by another infant unless sterilized.
- (h) Infants who are unable to hold a bottle shall be held by a staff person or other adult for bottle feeding. At no time shall a bottle be propped for an infant. A child shall not be allowed to carry a bottle while ambulatory. A bottle given to an infant able to hold his/her own bottle shall be unbreakable.

101427 INFANT CARE FOOD SERVICE (Continued)**101427**

- (i) High chairs or other appropriate seating equipment shall be used to seat children during feeding. Children who are unable to sit unassisted in a high chair or other seating equipment shall be held by a staff person or adult for feeding.
- (j) Bottles, dishes and containers of food brought by the parent shall be labeled with each child's name and the current date.
 - (1) Formula in a partially consumed bottle shall be discarded at the end of each day.
 - (2) Food shall be discarded if not consumed within 72 hours of the date on the container label.
 - (3) Bottles and dishes provided by the parent shall be rinsed and returned to the parent for sanitizing at the end of each day.
- (k) The facility shall not serve honey or corn syrup to any infant.
- (l) Commercially prepared baby food in jars shall be transferred to a dish before being fed to the infant.
 - (1) Any food left over in the dish at the end of the meal shall be discarded.
- (m) Arrangements for privacy, if requested, shall be made for mothers who, upon agreement with the facility, wish to nurse their infant in the facility.
- (n) Bottles and nipples maintained by the infant care center shall be sterilized using any of the following methods after each use:
 - (1) Boiled for a minimum of five minutes and air dried, or
 - (2) Soaked for a minimum of one minute in a sterilizing solution using 1/2 cup of bleach and five gallons of water and air dried, or
 - (3) Bottles may be washed and sterilized using a dishwasher.
- (o) Infants shall not be bathed nor shall diapers or clothing be rinsed in the food preparation area.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101428 INFANT CARE PERSONAL SERVICES**101428**

- (a) For infants being toilet trained there shall be a written toilet training plan.
 - (1) The plan shall be developed by the infant's parent(s) and the director or assistant director.
 - (2) The plan shall include the following:
 - (A) Methods of toilet training;
 - (B) Introduction and use of appropriate training equipment; and
 - (C) Introduction and use of appropriate clothing.
 - (3) Infants who are being toilet trained shall not be required to wear diapers unless specifically indicated in the plan.
 - (4) The center shall follow the plan in toilet training the infant.
 - (5) Center staff shall have ready access to the toilet training plan for infants in their care.
- (b) The infant shall be kept clean and dry at all times.
 - (1) The infant care center shall ensure that the infant has sufficient changes of clothing and diapers so that his/her clothing and diapers can be clean and dry at all times.
 - (2) Each infant's clothing and diapers shall be changed as often as necessary to ensure that the infant is clean and dry at all times.
- (c) Soiled or wet clothing or cloth diapers provided by parents shall be placed in an airtight container and returned to the parent at the end of each day.
 - (1) The airtight container shall prevent the escape of fluids and odors and be portable enough to give to the parent.
- (d) When changing an infant's diapers, the following shall apply:
 - (1) Each infant shall be diapered on a changing table.
 - (A) No infant shall be left unattended while on a changing table.

101428 INFANT CARE PERSONAL SERVICES (Continued)**101428**

- (2) It shall be permissible to diaper infants on a changing pad placed on the floor, which meets the requirement of Section 101439(h).
- (3) Soiled disposable diapers shall be disposed of as recommended on the packaging or placed in an airtight container for daily disposal outside of the facility.
 - (A) Containers shall be sanitized daily.
- (4) Soiled cloth diapers shall be placed in an airtight container.
- (5) Diapers provided by the facility when soiled shall be rinsed, washed and sanitized daily. If a diaper service is utilized, the diapers shall be placed in the diaper service company container, as instructed, for pick-up by the diaper service.
- (6) Towels and washcloths used for cleaning children shall not be shared with other children or staff and shall be washed after each use.
- (7) The changing table and changing pads shall be disinfected after each use even when disposal covers are used.
 - (A) It shall be permissible to cover infant changing tables with disposable paper towels or a similar covering which shall be discarded following each diaper change.
 - (B) The floor space used for diaper changing, if soiled, shall be disinfected after each use.
- (e) Whenever a potty chair is used, the following requirements shall be met:
 - (1) The potty chair shall be placed on the floor and used in accordance with the manufacturer's instructions.
 - (2) The potty chair shall be emptied into a flushing toilet promptly, all surfaces thoroughly cleaned, and disinfected after each use.
 - (3) No infant shall be left unattended while on a potty chair or seat.
- (f) Toilet training shall include instruction and assistance in handwashing for each child after use of the toilet.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101429	RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION FOR INFANTS	101429
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(a) In addition to Sections 101229 and 101329, the following shall apply:

- (1) Each infant shall be constantly supervised and under direct visual observation and supervision by a staff person at all times. Under no circumstances shall ANY infant be left unattended.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

101430	INFANT CARE ACTIVITIES	101430
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(a) Notwithstanding Section 101330 the following shall apply:

- (1) The center shall develop, maintain, and implement a written plan to ensure indoor and outdoor activities designed to meet the needs of infants including but not limited to:
 - (A) Quiet and active play.
 - (B) Rest and relaxation.
 - (C) Eating.
 - (D) Toileting.
 - (E) Individual attention.
 - (F) Being held by care provider.
- (2) The center shall ensure the participation of the infants in the above activities.
- (3) All infants shall be given the opportunity to nap/sleep without distraction or disturbance from other activities at the center whenever the infant desires.
 - (A) No infant shall be forced to sleep, stay awake, or to stay in the napping area.
 - (i) The center is not prohibited from scheduling nap times for infants over 12 months.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

Article 7. PHYSICAL ENVIRONMENT**101438.1 INFANT CARE GENERAL SANITATION****101438.1**

- (a) All items used by pets and animals shall be kept out of the reach of infants.
- (b) Each caregiver shall wash his/her hands with soap and water before each feeding and after each diaper change.
 - (1) Only dispenser soap, including but not limited to liquid or powder in an appropriate dispenser, shall be used.
 - (2) Only disposable paper towels, in an appropriate holder or dispenser, shall be used for hand drying.
- (c) Washing, cleaning, and sanitizing requirements for areas to which infants have access or used by staff with infants are as follows:
 - (1) Floors, except those carpeted, shall be vacuumed or swept and mopped with a disinfecting solution at least daily or more often if necessary.
 - (2) Carpeted floors and large throw rugs which cannot be washed shall be vacuumed at least daily and cleaned at least every six months or more often if necessary.
 - (A) Small rugs which can be washed shall be shook or vacuumed at least daily and washed at least weekly or more often if necessary.

HANDBOOK BEGINS HERE

Cleaning of carpets and large rugs may be through the use of commercial type cleaning machines commonly available through rental stores, grocery stores, etc., or the hiring of a professional cleaning service.

HANDBOOK ENDS HERE

- (3) Walls and portable partitions shall be washed with a disinfecting solution at least weekly or more often if necessary.

101438.1 INFANT CARE GENERAL SANITATION (Continued)**101438.1**

- (4) The diaper changing area, where residue is splashed from soiled diapers and items and surfaces touched by staff during the diaper changing process, shall be washed and disinfected after each diaper change. Such areas, items and surfaces shall include but not be limited to the following:
 - (A) Walls and floors surrounding the immediate diaper changing area.
 - (B) Dispensers for talc, lotion, soap and paper towels.
 - (C) Countertops, sinks, drawers and cabinets.
- (5) Sinks used to wash infants or rinse soiled clothing or diapers, shall be disinfected after each use.
- (d) Objects used by infants which are mouthed, such as but not limited to, toys and blankets, shall be washed and disinfected at least daily or more often if necessary.
- (e) Linens laundered by the facility, including but not limited to, bedding, towels, and washcloths used on or by infants shall be washed and sanitized at least daily, or more often if necessary.
- (f) Washing/disinfecting solutions shall be freshly prepared each day using 1/4 cup of bleach per gallon of water. Other commercial disinfecting solutions shall be permitted and shall be used in accordance with label directions.
- (g) All hazardous materials shall be removed immediately and stored as specified in Section 101238.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101438.2	OUTDOOR ACTIVITY SPACE FOR INFANTS	101438.2
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- (a) In addition to Section 101338.2, the following shall apply:
- (b) Outdoor activity space shall be physically separate from space used by children in the day care center and school-age child day care components.
- (c) Placement of playpens shall not create hazards to other infants or adults in the play area.
- (d) The outdoor activity space shall be equipped with a variety of age appropriate toys and equipment.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101438.3	INDOOR ACTIVITY SPACE FOR INFANTS	101438.3
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- (a) In addition to Section 101338.3, the following shall apply:
- (b) Indoor activity space for infants shall be physically separate from space used by children in the day care and school-age child day care center components.
 - (1) The facility shall be permitted to use moveable walls or partitions to maintain the separation of the above groups in the same room, provided that each group has the total amount of square footage space required by regulation.
 - (2) Moveable walls or partitions, if used, shall be no shorter than four feet, be constructed of sound absorbing material, and designed to minimize risk of injury to infants.
- (c) The calculation of the infants' indoor activity space shall not include space designated and used for the cribs.
 - (1) Infant's sleeping area shall be physically separate from the indoor activity space and shall be accomplished as specified in (b) above.
- (d) Combination centers shall be permitted to utilize shared office space, food preparation space, storage space and any other general purpose space.
- (e) The activity space shall be equipped with a variety of age appropriate washable toys and equipment.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

**101439 INFANT CARE CENTER FIXTURES, FURNITURE, EQUIPMENT,
AND SUPPLIES****101439**

- (a) In addition to Section 101339 and notwithstanding Section 101339(b) the following shall apply:
- (b) The facility shall be equipped with appropriate furniture and equipment including but not limited to cribs, cots, or mats, changing tables, and feeding chairs.
- (c) The type, height, and size of furniture and equipment shall be age appropriate.
- (d) Walkers, swings, walking harnesses, playpens and all such equipment and furniture shall be assembled or installed according to manufacturer's instructions provided with the equipment, and maintained in good repair and safe condition.
 - (1) Equipment which is purchased already assembled shall not be modified.
 - (A) An x-frame baby walker shall have protective covers over accessible coil springs, spacers between scissoring components, and locking devices to prevent the x-frame from collapsing.
 - (B) The wheel base shall be both wider and longer than the frame of the walker.
- (e) High chairs or low wheeled feeding tables and any such equipment used for seating an infant shall have broad base legs.
 - (1) Seats and backrests shall be made of a washable and moisture resistant material.
 - (2) An infant shall not be permitted to pull on or climb on or into a high chair.
 - (3) Whenever an infant is in the high chair the tray shall be properly latched on both sides.
 - (4) An infant shall not be permitted to stand up in a high chair.
 - (5) No infant shall be left unattended while in a high chair.
- (f) All such equipment or furniture shall be washed with a detergent/disinfectant after each use as specified in Section 101438.1.
- (g) Furniture shall be maintained in good repair and safe condition.

**101439 INFANT CARE CENTER FIXTURES, FURNITURE, EQUIPMENT,
EQUIPMENT, AND SUPPLIES (Continued)****101439**

- (h) Infant changing tables shall:
- (1) Have a padded surface no less than one inch thick, covered with washable vinyl or plastic.
 - (2) Have raised sides at least three inches high.
 - (3) Be maintained in good repair and safe condition.
 - (4) While in use, be placed within arms reach of a sink.
 - (5) Not be located in the kitchen/food preparation area.
- (i) There shall be a minimum of one handwashing sink to every 15 children and one potty chair or combination of potty chairs and toilets with training seats to every five children being toilet trained.
- (1) Children shall not be permitted to play with potty chairs.
- (j) Toilets and potty chairs and handwashing sinks for children shall be in close proximity to indoor and outdoor activity space.
- (k) Toy storage containers shall meet the following requirements:
- (1) Lids and the hardware used to hinge lids on boxes or chests shall be removed.
 - (2) All edges and corners shall be rounded and padded.
 - (3) The container shall be well ventilated.
 - (4) The container shall not be lockable.
 - (5) The container shall be maintained in good repair and safe condition.

HANDBOOK BEGINS HERE

- (A) Metal toy boxes shall not have rough or sharp edges and wooden toy boxes shall not have splinters and other rough areas.

HANDBOOK ENDS HERE

**101439 INFANT CARE CENTER FIXTURES, FURNITURE, EQUIPMENT
EQUIPMENT, AND SUPPLIES (Continued)****101439**

- (l) Toys shall be safe and shall not have sharp points or edges or splinters or be made of small parts which can be pulled off and swallowed.
 - (1) The combination of toys shall provide and encourage:
 - (A) Auditory stimulation.
 - (B) Visual stimulation.
 - (C) Tactile stimulation.
 - (D) Manipulative skills.
 - (2) Pacifiers shall have a shield or guard large enough so that infants cannot choke on them.
 - (3) Rattles shall be large enough so that they cannot become lodged in an infant's throat and constructed so that they will not separate into small pieces.

HANDBOOK BEGINS HERE

- (4) It is recommended that centers comply with the following U.S. Consumer Product Safety Commission advice for the selection and safe use of children's toys.
 - (A) Avoid toys with small parts.
 - (B) Look for labels that give age recommendation.
 - (C) Toys should be suited to the skills, abilities and interests of the children.

HANDBOOK ENDS HERE

- (m) Fixtures, furniture, equipment, supplies, and toys shall not be made of or contain toxic materials or substances.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

101439.1 INFANT CARE CENTER NAPPING EQUIPMENT**101439.1**

- (a) In addition to Section 101339.1 the following shall apply.
- (b) A standard size six-year crib or porta-crib meeting the following requirements shall be provided for each infant who is unable to climb out of a crib:
 - (1) Stacking wall cribs or cribs stacked one on top of another, often referred to as tiered cribs, shall not be permitted.
 - (2) Cribs shall not limit the ability of staff to see the child.
 - (3) Cribs shall not limit a child's ability to stand upright.
 - (4) Crib mattresses shall be:
 - (A) Covered with vinyl or similar moisture resistant material.
 - (B) Wiped with a detergent/disinfectant daily and when soiled or wet.
 - (C) Maintained in a safe condition with no exposed foam, batting, or coils.
 - (5) Cribs equipped with bumper pads shall be covered with a vinyl or similar moisture resistant material. Each crib shall have a sheet to cover the mattress and a blanket and/or sheet to cover the child, depending on the temperature.
 - (A) If bumper pads are used, they shall be installed around the entire inner portion of the crib and tied or snapped into place in at least six places.
 - (B) The mattress shall be set at its lowest position and the side rail shall be locked in its highest position.
 - (C) Cribs shall have spaces between crib slats of no more than 2 3/8 inches.

101439.1 INFANT CARE CENTER NAPPING EQUIPMENT (Continued)**101439.1**

- (c) Floor mats or cots which meet the requirements specified in 101339.1(b) shall be provided for all children who have the ability to climb out of a crib.
- (d) Each crib, floor mat, or cot shall be occupied by only one infant at a time.
- (e) Each infant's bedding shall be used for him/her only and shall be replaced when wet or soiled or when the crib, floor mat, or cot is to be occupied by another child.
 - (1) Bedding shall be changed daily or more often if required by (d) above.
 - (A) Soiled bedding shall be placed in a suitable container and made inaccessible to children until washed or until picked up by commercial laundering service.
- (f) Cribs, mats, or cots shall be arranged to provide a walkway and workspace between the cribs, mats, or cots sufficient to permit staff to reach each infant without having to step over or reach over any other infant.
 - (1) Placement of cribs, mats, or cots shall not hinder entrance or exit to and from the napping space.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

CHAPTER 2. DAY CARE CENTERS**SUBCHAPTER 3. SCHOOL-AGE CHILD DAY CARE CENTER****Article 1. General Requirements and Definitions****101451 GENERAL****101451**

- (a) School-age child day care centers providing group care to children shall be governed by the provisions specified in this subchapter. In addition, such facilities, except where specified otherwise, shall be governed by Chapter 1, Child Day Care General Licensing Requirements, and by Chapter 2, Day Care Centers, Subchapter 1, Basic Requirements.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

101452 DEFINITIONS**101452**

In addition to Sections 101152 and 101252, the following definitions as used throughout Subchapter 3, School-Age Child Day Care Center, shall apply.

- a. (Reserved)
- b. (Reserved)
- c. (Reserved)
- d. (Reserved)
- e. (Reserved)
- f. (Reserved)
- g. (Reserved)
- h. (Reserved)
- i. (Reserved)
- j. (Reserved)
- k. (Reserved)
- l. (Reserved)
- m. (Reserved)

101452 DEFINITIONS (Continued)**101452**

n. (Reserved)

o. (Reserved)

p. (Reserved)

q. (Reserved)

r. (Reserved)

s. (1) "School-Age Child" means any child who meets one of the following:

(A) Has entered the first grade or above;

(B) Is in a day care program providing care and supervision, exclusively to children enrolled in kindergarten and above.

(2) "School-Age Child Day Care Center" means any facility or part of a facility of any capacity where less than 24-hour, nonmedical care and supervision are provided in a group setting to school-age children.

t. (Reserved)

u. (Reserved)

v. (Reserved)

w. (Reserved)

x. (Reserved)

y. (Reserved)

z. (Reserved)

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

Article 2. Licensing (reserved)**Article 3. Application Procedures** (reserved)**Article 4. Administrative Actions** (reserved)**Article 5. Enforcement Provisions** (reserved)

Article 6. CONTINUING REQUIREMENTS**101515 SCHOOL-AGE CHILD DAY CARE CENTER DIRECTOR
QUALIFICATIONS AND DUTIES****101515**

- (a) In addition to Sections 101215 and 101315, the following shall apply:
- (b) All school-age child day care centers shall have a director.
 - (1) In a combination program which has a school-age child day care center component, the director of the child day care center shall maintain ultimate responsibility, in the capacity as director, for the combined program; a separate director for the school-age child day care center shall not be required.
 - (A) In a combination program, the director shall designate a fully qualified teacher as specified in Section 101516.2 for the school-age child day care center component.
 - (B) The director of the child day care center within the combination program shall maintain administrative responsibility for the overall program and provide direct supervision and guidance.
- (c) As an alternative educational prerequisite, the director may substitute six units appropriate to elementary school-age children, on a unit-per-unit basis, any one or a combination of the following:
 - (1) Recreation, which includes but is not limited to, art, music, and dance relevant to elementary school-age children.
 - (2) Physical education, which includes but is not limited to, indoor and outdoor sports activities relevant to elementary school-age children.
 - (3) Units earned toward an elementary teaching credential.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.81, 1596.95 and 1597.055, Health and Safety Code.

101516.2	SCHOOL-AGE CHILD DAY CARE CENTER TEACHER QUALIFICATIONS AND DUTIES	101516.2
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- (a) In addition to Section 101316.2, the following shall apply:
- (b) As an alternative educational prerequisite to the requirements of Section 101316.2, school-age child day care center staff may substitute 12 units appropriate to elementary school-age children on a unit-per-unit basis, any one or a combination of the following:
 - (1) Recreation, which includes but is not limited to, art, music, and dance relevant to elementary school-age children.
 - (2) Physical education, which includes but is not limited to, indoor and outdoor sports activities relevant to elementary school-age children.
 - (3) Units earned toward an elementary teaching credential.
- (c) In a combination program, a fully qualified teacher as specified in Section 101316.2 shall be designated to work closely with the director in planning the daily activities of the school-age child day care component.
 - (1) The designated teacher shall maintain responsibility for the overall operation of the school-age child day care center component under the direction and supervision of the director of the child day care center component.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.81 and 1597.055, Health and Safety Code.

101516.5	TEACHER-CHILD RATIO	101516.5
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- (a) In addition to Section 101316.5(c), (e), (g) and (h), and notwithstanding Section 101316.5(a), (b), (d) and (f), the following shall apply:
- (b) There shall be a staffing ratio of one teacher and one aide present to every 28 children in attendance.
 - (1) A teacher shall supervise no more than 14 children or with an aide a maximum of 28 children.

101516.5 TEACHER-CHILD RATIO (Continued)**101516.5**

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Example:

<u>Number of Children</u>	<u>Minimum Staff Required</u>
1 - 14	1 Teacher
15 - 28	1 Teacher and 1 Aide
29 - 42	2 Teachers and 1 Aide
43 - 56	2 Teachers and 2 Aides

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- (c) Staffing requirements for mixed age groups shall be determined on the basis of the age of the youngest child within the group.
- (d) The director shall be permitted to be counted in the ratio when actually working with a group of children, except as specified below.
- (1) In a combination program, when the school-age children are present, the director shall not be counted in the teacher-child ratios.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.81 and 1597.055, Health and Safety Code.

101520 MEDICAL ASSESSMENTS**101520**

- (a) Notwithstanding Sections 101220 and 101320, the following shall apply:
- (1) The licensee shall not be required to document medical assessments on school-age children who are enrolled in a public or private school.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101520.1	IMMUNIZATIONS	101520.1
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(a) Notwithstanding Section 101320.1, the following shall apply:

- (1) The licensee shall not be required to document immunizations of children also enrolled in a public or private elementary school.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101521	CHILD'S RECORDS	101521
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(a) In addition to Section 101221 except (b)(8), and in addition to Section 101321, the following shall apply:

- (b) The licensee shall obtain from the child's parent a health background related to the child's ability/inability to participate in facility activities.

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(1) A health background should include but is not limited to the following information:

- (A) Past illnesses or serious injuries.
- (B) Allergies, including food allergies.
- (C) Conditions requiring special attention in the child day care center.
- (D) Special problems or fears.

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NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101526.1	DAILY INSPECTION FOR ILLNESS	101526.1
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- (a) In addition to Section 101326.1 the following shall apply:
- (b) Upon arrival at or admittance to the center, school-age children shall be observed for signs of illness and those children arriving on their own shall be signed in by center staff.
 - (1) If the child is found to be ill, the procedure specified in Section 101326(b), (c) or (d), or 101326.2 shall be followed.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73 and 1596.81, Health and Safety Code.

101527	FOOD SERVICE	101527
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- (a) In addition to Section 101327, the following shall apply:
- (b) Center programs providing before and/or after school care shall make available and offer nutritious snacks to children.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73 and 1596.81, Health and Safety Code.

101529.1	SIGN IN AND SIGN OUT	101529.1
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- (a) In addition to Section 101329.1 the following shall apply:
- (b) Center staff shall be required to sign out those school-age children whose parents have agreed in writing to allow their children to leave the center on their own.
 - (1) The signed agreements between centers and parents, where school-age children are permitted to leave the center on their own, shall be verified by signature and dated by the director and parents.
 - (2) The signed agreements shall be filed in the children's records.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101538.2	OUTDOOR ACTIVITY SPACE FOR SCHOOL-AGE CHILDREN	101538.2
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- (a) In addition to Section 101338.2, the following shall apply:
- (b) In combination programs, outdoor activity space provided for school-age child day care center children shall be physically separated from space provided for other day care center children.
 - (1) Physical separation between school-age and other day care center children shall not apply when a planned activity is being conducted.
- (c) School-age child day care programs which meet the requirements of Health and Safety Code Section 1596.806 are exempt from square footage requirements.

HANDBOOK BEGINS HERE

- (1) Health and Safety Code Section 1596.806 states:
 - (A) Extended day care programs for children who are four years and nine months or older and are currently enrolled in the school or are dependent children living within the same household as a child attending the school, operated on a functioning school site in the same facilities that have housed school children during the day, before or after school hours or before and after school hours, by an entity which contracts with the school to provide staff and program, shall not be required to meet the square footage or toilet requirements for child day care centers.

HANDBOOK ENDS HERE

- (d) The exemption from square footage requirements is only valid if the entire program is operated in accordance with Health and Safety Code Section 1596.806.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.806 and 1596.81, Health and Safety Code.

101538.3	INDOOR ACTIVITY SPACE FOR SCHOOL-AGE CHILDREN	101538.3
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- (a) In addition to Section 101338.3, the following shall apply:
- (b) In combination programs, indoor activity space provided for school-age child day care center children shall be physically separated from space provided for infant care and child day care center children.
 - (1) Movable walls or partitions, if used, shall be no less than four feet in height and shall be safe for use around children.
 - (2) Physical separation between school-age and other day care center children shall not apply when a planned activity is being conducted.
- (c) School-age child day care programs which meet the requirement of Health and Safety Code Section 1596.806 are exempt from square footage requirements.

HANDBOOK BEGINS HERE

- (1) Health and Safety Code Section 1596.806 states:
 - (A) Extended day care programs for children who are four years and nine months or older and are currently enrolled in the school or are dependent children living within the same household as a child attending the school, operated on a functioning school site in the same facilities that have housed school children during the day, before or after school hours or before and after school hours, by an entity which contracts with the school to provide staff and program, shall not be required to meet the square footage or toilet requirements for child day care centers.

HANDBOOK ENDS HERE

- (d) The capacity per room shall not exceed the number of children for which a room of this size is commonly approved for school use during the school day.
- (e) The exemption from the square footage requirement shall be as specified in Section 101538.2.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.806 and 1596.81, Health and Safety Code.

101539	FIXTURES, FURNITURE, EQUIPMENT AND SUPPLIES	101539
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- (a) In addition to Section 101339, the following shall apply:
- (1) Toilets used by school-age children shall provide individual privacy.
- (A) Toilet facilities shall not be used simultaneously by children of both sexes.
- (b) School-age child day care programs which meet the requirements of Health and Safety code Section 1596.806 are exempt from toilet requirements.

HANDBOOK BEGINS HERE

- (1) Health and Safety Code Section 1596.806 states:
- (A) Extended day care programs for children who are four years and nine months or older and are currently enrolled in the school or are dependent children living within the same household as a child attending the school, operated on a functioning school site in the same facilities that have housed school children during the day, before or after school hours or before and after school hours, by an entity which contracts with the school to provide staff and program, shall not be required to meet the square footage or toilet requirements for child day care centers.

HANDBOOK ENDS HERE

- (c) The room capacity and exemption from toilet requirements shall be as specified in Section 101538.2.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.806 and 1596.81, Health and Safety Code.